

MARIO N. ALIOTO, ESQ. (56433)
LAUREN C. CAPURRO, ESQ. (241151)
TRUMP, ALIOTO, TRUMP & PRESCOTT, LLP
2001 Union Street, Suite 482
San Francisco, CA 94123
Telephone: (415) 563-7200
Facsimile: (415) 346-0679
E-mail: malioto@tatp.com
lauren russell@tatp.com

Lead Counsel for the Indirect-Purchaser Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

) Master File No. 4:07-cv-5944-JST

) MDL No. 1917

This Document Relates to:

Indirect-Purchaser Class Action

) **[PROPOSED] ORDER REGARDING**

) **INDIRECT PURCHASER PLAINTIFFS'**
) **NOTICE OF MOTION AND MOTION**
) **IN LIMINE NO. 6:**

) **TO (1) PRECLUDE ARGUMENT THAT**
) **THE SAMSUNG SDI GUILTY PLEA**
) **INCLUDES DOJ FINDINGS OF FACT;**
) **(2) EXCLUDE EVIDENCE OF THE**
) **VOLUME OF AFFECTED SALES IN**
) **THE GUILTY PLEA; (3) EXCLUDE**
) **EVIDENCE OF THE FACT AND**
) **AMOUNT OF THE CRIMINAL FINE;**
) **AND (4) EXCLUDE ANY STATEMENT**
) **BY THE DOJ CHARACTERIZING THE**
) **CRT CONSPIRACY AS LIMITED TO**
) **FACTS IN SAMSUNG GUILTY PLEA**

[PROPOSED] ORDER

Upon consideration of Indirect Purchaser Plaintiffs’ (“Plaintiffs”) Motion *In Limine* No. 6 to (1) preclude argument that the guilty plea by Samsung SDI Company, Ltd. (“Samsung”) includes Department of Justice (“DOJ”) findings of fact; (2) exclude evidence of the volume of affected sales in the Samsung guilty plea; (3) exclude evidence of the fact and amount of the criminal fine; and (4) exclude any statement by the DOJ characterizing the cathode ray tube (“CRT”) conspiracy as limited to facts in the Samsung guilty plea, it is hereby

ORDERED that the motion is GRANTED, and at trial, Irico Defendants shall be precluded from:

- (1) arguing that the Samsung SDI guilty plea includes DOJ findings of fact;
- (2) offering evidence that the DOJ or the Samsung guilty plea identified a particular volume of affected sales;
- (3) offering evidence of the fact or the amount of the criminal fine imposed on Samsung; and
- (4) offering any public statement by the DOJ characterizing the CRT conspiracy as limited to facts in the Samsung guilty plea.

Dated:

The Honorable Jon S. Tigar
United States District Judge
Northern District of California